

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v)	CRIMINAL ACTION NO.
)	2:07CR260-MHT
WILLIAM TOBY KIMBROUGH)	

ORDER

Upon the defendant's Notice of Intent to Change Plea (Doc. 35, filed 6/11/2008, it is

ORDERED that this case is set for proceedings pursuant to Rule 11 of the Federal Rules of Criminal Procedure on 6/16/2008 at 3:30 p.m., Courtroom 4A, Frank M. Johnson, Jr. United States Courthouse Complex, One Church Street, Montgomery Alabama.

The Clerk is directed to provide a court reporter for this proceeding. If the defendant is in custody, the United States Marshal shall arrange for the defendant's appearance at this proceeding.

Counsel for the defendant is DIRECTED to confer with the defendant prior to the proceeding set is this order and: (1) advise the defendant about the Sentencing Guidelines, and the fact that while the Sentencing Guidelines are no longer mandatory the Guidelines remain an important factor which the court will consider in determining a reasonable sentence; (2) advise the

defendant that in determining a reasonable and appropriate sentence, the court will consider the sentencing factors set forth in 18 U.S.C. Section 3553(a) in addition to the Guidelines; and (3) explain to the defendant each of those factors specifically, including (a) the nature and circumstances of the offense and the history and characteristics of the defendant; (b) the need to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense; (c) the need for deterrence; (d) the need to protect the public; (e) the need to provide the defendant with needed educational or vocational training or medical care; (f) the kinds of sentences available; (g) the need to avoid unwanted sentencing disparities; and (h) the need to provide restitution to victims.

DONE this 12th day June, 2008.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE